IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1589 OF 2006

Ajay Yogindra Mafatlal ..Petitioner

versus

Dhiraj M. Mehta & Ors. ..Respondents

Mr. B. Parmar for the Petitioner.

Mr. K. Mhatre i/b. Doijode Associates for the Respondent No.1.

Mr. V. B. Konde-Deshmukh, APP for the Respondents - State.

CORAM : D. G. DESHPANDE, &
S. A. BOBDE, JJ.

DATE : 10TH AUGUST, 2006

P.C. :

1. Heard Counsels for the Petitioner, Respondent No. 1 and learned APP for the State. Rule. Returnable forthwith, by consent.

2. The Petitioner was prosecuted under Section 138 of the Negotiable Instruments Act. The prosecution was launched at the instance of the Respondent No.1. During the proceedings, he deposited Rs.4 lacs before the trial Court. He

ultimately came to be acquitted.

3. This petition is for direction to the trial court to refund the amount of Rs.4 lacs to the petitioner, along with interest, if any accrued, till the date of the refund. Counsel for the Respondent No.1 says that the respondent No.1 has no objection to grant this prayer. Therefore petition is allowed in terms of prayer clauses (a) of the petition. Rule made absolute accordingly.

(D.G. DESHPANDE, J.)

(S.A. BOBDE, J.)